

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

KHANAY YANCEY,

Plaintiff,

v.

GREGORY TILLMAN, in his individual
capacity as an officer for the CLAYTON
COUNTY POLICE DEPARTMENT, and
CLAYTON COUNTY, GA,

Defendants.

CIVIL ACTION FILE
NO. 1:20-CV-03269

NOTICE OF APPEAL

Notice is hereby given that Defendant Tillman appeals to the United States Court of Appeals for the Eleventh Circuit from the Order entered on September 29, 2023 (Doc. 128), declining to consider and extend him qualified immunity as to Plaintiff's 42 U.S.C. § 1983 claims which were the subject of Plaintiff's Motion for Partial Summary Judgment. (Doc. 101-2) and which qualified immunity Tillman asserted in opposition to that Motion (Doc. 115). The Eleventh Circuit has jurisdiction to review the District Court's denial of qualified immunity pursuant to 28. U.S.C. § 1291. Behrens v. Pelletier, 516 U.S. 299, 312, 116 S. Ct. 834, 842

(1996); Mitchell v. Forsyth, 472 U.S. 511, 530, 105 S. Ct. 2806, 2817 (1985);
Stanley v. City of Dalton, Ga., 219 F.3d 1280, 1286 (11th Cir. 2000).

Respectfully submitted this 30th day of October, 2023.

HALL BOOTH SMITH, P.C.

/s/ Jacob Stalvey O'Neal

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LOCAL RULE 7.1D CERTIFICATION

Pursuant to Local Rule 7.1D for the Northern District of Georgia, the undersigned counsel for Defendant certifies that the above and foregoing is a computer document prepared in Times New Roman (14 point) font in accordance with Local Rule 5.1B and C.

Respectfully submitted this 30th day of October, 2023.

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served the following counsel of record in this case with a true and correct copy of the foregoing Notice of Appeal upon all parties to this matter by depositing a true copy of same in the U.S. Mail, proper postage prepaid, addressed to counsel of record as follows and/or filing said document with the CM/ECF system which will automatically send electronic notification to the following:

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Respectfully submitted this 30th day of October, 2023.

HALL BOOTH SMITH, P.C.

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